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March 5, 2004 LB 75

SENATOR CUDABACK: Thank you, Senator Hudkins. We now go to discussion on AM2320, offered by Senator Hudkins to LB 75. Senator Bourne.

SENATOR BOURNE: Thank you, Mr. President, members. Senator Hudkins, it's been a...it's been a long week and I might not be reading this right, but I'm wondering about the language of the amendment. And I've tried to put AM2320 into AM2221, and if you could follow along with me, and maybe I'm just not understanding, but I see a little drafting problem. Maybe, again, maybe I'm missing it, but I'm going to read the language that would be amended with the new language from AM2320 into what it should say then. Starting in line 5, "Any candidate for the office of sheriff who does not have a law enforcement officer certificate or diploma issued by the Nebraska Commission on Law Enforcement and Criminal Justice shall submit with the candidate filing form required by Section 32-607 a standardized letter issued by the director of the Nebraska Law Enforcement Training Center certifying that the candidate has:" and here's my question. The new language would say: within one calendar year prior to the deadline for filing the candidate filing form, passed a background investigation performed by the Nebraska Law Enforcement Training Center based on a check of his or her criminal history record information maintained by the FBI through the State Patrol. Now here's my question. The candidate shall apply for the background investigation at least 30 days prior to the filing form...to the filing deadline for the candidate filing form and. I see kind of a contradiction, and am I missing something? You're adding language that says within one calendar year prior to the deadline for filing the candidate filing form they must have passed a background investigation, but then the last sentence says the candidate shall apply for the background investigation at least 30 days prior to the filing deadline.

SENATOR HUDKINS: All right.

SENATOR BOURNE: What am I...what am I missing? And I...again, it's been a long week.